

IN THE CLAIMS

Please amend Claims 1, 5 and 7 as follows:

Claim 1 (Amended)

B2 Hybrid maize seed designated 36Y95, representative seed of said hybrid 36Y95 having been deposited under ATCC accession number [] 203882.

Claim 5 (Amended)

B3 A tissue culture of regenerable cells of a hybrid maize plant 36Y95, representative seed of said hybrid maize plant 36Y95 having been deposited under ATCC accession number [] 203882, wherein the tissue regenerates plants capable of expressing all the morphological and physiological characteristics of said hybrid maize plant 36Y95.

Claim 7 (Twice Amended)

B4 A maize plant, or its parts, regenerated from the tissue culture of claim 5 and capable of expressing all the morphological and physiological characteristics of hybrid maize plant 36Y95, representative seed of hybrid maize plant 36Y95 having been deposited under ATCC accession number [] 203882.

REMARKS

The foregoing amendments to the specification and claims of this application relating to the ATCC deposit provide compliance, by adding the ATCC accession number for seed of hybrid maize line 36Y95, with the requirement of assuring unrestricted public availability of a source of reproductive material of the hybrid of this invention. A copy of the receipt and viability statement for this deposit from the ATCC is attached. The amendments were not entered earlier because it is a condition of allowance.

Respectfully submitted,
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